

that recite material differences" as required under MPEP § 806.05(e), Process and Apparatus for Its Practice--Distinctness. Moreover, Applicant has reviewed Class 82, subclass 1.3, without success, for any mention or suggestion of a "security device" or "fashion ornament" which could be machined using the method of claim 27.

### CONCLUSION

For the reasons given above, Applicant elects with traverse the Examiner's Group II, claims 27-38. Applicant respectfully submits that this restriction requirement does not meet the standard of MPEP § 806.05(f) for a process of making and product made, as improperly relied on by the Examiner, or the proper standard of MPEP § 806.05(e) for a process and apparatus for its practice.

In the event that any additional information is deemed necessary, Applicant's attorneys are available to participate in a telephone conference with the Examiner on the number given below. Applicant believes that no fee is needed beyond the one-month extension fee included herewith. In the event that any additional fee is required, the Commissioner is authorized to charge Deposit Account Number 02-4377.

Respectfully submitted,



---

Gary M., Butter  
PTO Reg. No. 33,841  
(212) 408-2546

David Loretto  
PTO Reg. No. 44,374  
(212) 408-2584

*Attorneys for Applicant*

BAKER BOTTS L.L.P.  
30 Rockefeller Plaza  
New York, NY 10112